

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISAIAH TISBY,

Defendant.

Case No. 2:22-CR-00088-ART-BNW

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the pending Stipulation of counsel (ECF No. 94), and good cause appearing therefore, the Court makes these findings for the record pursuant to Federal Rule of Criminal Procedure 32(c)(1)(A)(ii):

1. The parties have entered into a plea agreement wherein Mr. Tisby would plea to a Class A misdemeanor. The parties will be jointly recommending a sentence at the statutory maximum term (365 days). Mr. Tisby has already served over that time.

2. This Court is familiar with the nature and circumstances of this offense as the Court has reviewed all the pleadings and transcripts related to the Motion to Suppress (ECF No. 25); reviewed and heard argument on the Motions in Limine (ECF Nos. 70 and 71); and conducted a Daubert hearing related to Defense's Proposed Expert Testimony.

3. The Court can sufficiently rely on its knowledge of the record in this case and the parties' arguments concerning the history and characteristics of the defendant and any other related sentencing factors.

4. As such, the Court finds that information in the record enables it to meaningfully exercise its sentencing authority under 18 U.S.C. §3553.

ORDER

IT IS THEREFORE ORDERED that the Presentence Investigation Report in this case be waived pursuant to Federal Rule of Criminal Procedure 32(c)(1)(A)(ii).

DATED this 12th day of May, 2023.

A handwritten signature in black ink, appearing to read "Anne R. Traum", is written over a horizontal line.

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE